



COMMUNITY DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
planning@rogersar.gov
(479) 621-1186

FEBRUARY 11, 2020

TO: PLANNING COMMISSION

RE: **STAFF SUMMARY REPORT
REZONE – DAN WEEDEN**

STAFF: JESSIE MASTERS, PLANNER III

REQUEST INFORMATION:

ADDRESS/LOCATION:	728 S Horsebarn Road
TOTAL AREA TO BE REZONED:	0.5 ± acres
CURRENT ZONING:	A-1 (Agricultural District)
PROPOSED ZONING:	R-O (Residential Office District)
PLANNED USE:	Medical Clinic

APPLICANT INFORMATION:

APPLICANT/REPRESENTATIVE:	Dr. Dan Weeden/Bill Watkins
PROJECT OWNER/DEVELOPER:	Dr. Dan Weeden
PROPERTY OWNER:	David J Bugea
REQUEST:	Rezone approval

CITY INFORMATION:

CGM GROWTH DESIGNATION:	Neighborhood
GROWTH DESIGNATION CHARACTER:	Single-use residential areas connected by collector and local streets that may feature community-oriented non-residential uses such as schools, resource centers, and places of worship. Goals include preserving locations for low-density residential while limiting its proliferation in areas proposed for higher-intensity development.
ZONING DISTRICT INTENT:	The R-O district is established to provide for the conversion of existing structures to office use or the construction of offices in areas where the continuation of residential activity is no longer practical or to establish a transition between residential and nonresidential uses. It is further the intent of this district to encourage mixed residential and office uses.
AUTHORITY:	Sec. 14-727, Rogers Code of Ordinances

PLANNING REVIEW:

1. LAND USE COMPATIBILITY:

- a) CGM Compliance: The subject request does not align with the purpose, character, and goals of the Neighborhood Growth Designation, which only allows for the R-SF, N-R, R-DP, R-MF zoning districts. R-O is not a permitted district within this Growth Designation.
- b) General Findings: The property in question is currently a single-family home, and is enveloped by the R-SF zoning designation, by other single family homes, and the Neighborhood Growth designation. The property sits at the border of the Neighborhood Growth designation and the Commerce Corridor designation, with Horsebarn Road as the boundary line. Horsebarn Road, although a minor street, marks a logical border for these two growth designations, since R-O is meant to be used as a transitional zoning district between higher intensity commercial uses and residential uses. Staff finds this to be an inappropriate rezone request based on inconsistency with the Comprehensive Growth Map, as well as inconsistency with current neighborhood characteristics. Staff does not believe that it would be good land use policy to adjust the boundary of the Comprehensive Growth map to include this .5 acre parcel. Staff recognizes that while the parcel borders the Commerce Corridor Growth Designation, and all parcels immediately across Horsebarn Road are zoned as R-O, single-family residential makes the most sense as the future use for this property.

2. REPORTS FROM OTHERS: The Planning Division has not received supporting or opposing comments to date.

3. RECOMMENDATIONS: The Planning Commission should always consider requests with regard to land use compatibility and the health, safety, and general welfare of the public in making their decision.

a) **Deny request.**

ENGINEERING REVIEW: N/A

STAFF SIGNATURES:



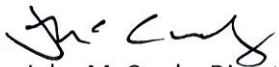
Jessie Masters, Planner III
City of Rogers Planning Division

SUGGESTED MOTIONS:

1. FOR APPROVE: "Move to recommend for City Council approval the request by Dr. Dan Weeden to rezone 0.5 acres at 728 S Horsebarn Road to the R-O zoning district as presented."
2. FOR APPROVE WITH CONDITIONS: "Move to recommend for City Council approval the request by Dr. Dan Weeden to rezone 0.5 acres at 728 S Horsebarn Road to the R-O zoning district subject to [conditions or contingencies]."
3. FOR DENY: "Move to deny the request as presented."
4. FOR TABLE: "Move to table the request [indefinite or date certain]."

DIRECTOR'S COMMENTS:

1. Agree with recommendations.



John McCurdy, Director
City of Rogers Community Development

TABS:

1. Maps and/or photos
2. Rezone Application

AERIAL VICINITY MAP



[illegible]



DEPT. OF COMMUNITY DEVELOPMENT
PLANNING DIVISION
CITY OF ROGERS, ARKANSAS
301 W. CHESTNUT
PHONE: (479) 621-1186
FAX: (479) 986-6896

CH 35586

OFFICE USE ONLY

Permit Fee: \$200 (\$200)

Zoning: A-1 to R-0

Permit Number: 20-12

CityView Application: PL202000067

Date: 01/27/2020

REZONE APPLICATION

APPLICANT: Dr. Dan Weeden

ADDRESS: 2104 S. 54th Street SUITE #: 4

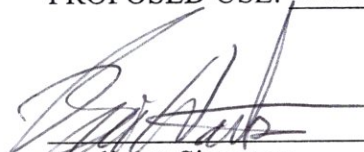
GENERAL LOCATION OF PROPERTY: 728 S, Horsebarn Rd., Rogers, AR


PHONE #: 479-636-2168 EMAIL: bwatkins@watkinslawoffice.com

PROPERTY OWNER: David J. Bugea PHONE #:

PRESENT USE: Residence ZONING: A-1

PROPOSED USE: Medical Clinic ZONING: R-0


Applicant Signature


Date

Attachment Checklist:

- ☒ Legal description of property
- ☐ Applicant Certification
- ☒ Property Owner Affidavit
- ☐ Site plan as needed

PLANNING STAFF PROVIDES:

DATE FILED: 1/27/2020 PUBLIC HEARING DATE: 2/18/2020 CERTIFIED MAIL DATE: 2/3/2020

PLANNING COMMISSION ACTION: DATE:

CITY COUNCIL ACTION: DATE:

ORDINANCE NUMBER: COMMENTS:

PROPERTY OWNER AFFIDAVIT

The petitioner, David J. Bugea, petitions the Planning Commission of the City of Rogers, Arkansas to rezone certain real property as set forth herein:

LEGAL DESCRIPTION: Attached

LAYMAN'S DESCRIPTION: 728 S. Horsebarn Rd., Rogers, AR

PRESENT ZONING: A-1

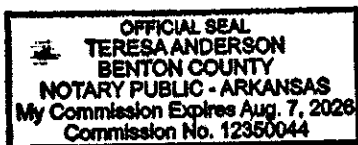
ZONING REQUEST: R-O

Respectfully Submitted,

By: David J. Bugea
(Property Owner Signature)

STATE OF ARKANSAS
COUNTY OF Benton

Subscribed and sworn before me this the 24th day of January, 2020.



Teresa Anderson
Notary Signature

Teresa Anderson
Notary Name Printed

August 7, 2026
Commission Expires